

District Judge Benjamin H. Settle
Magistrate Judge S. Kate Vaughan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BLAIR SMITH,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. C21-5747-BHS-SKV

STIPULATED MOTION TO STAY
DISCOVERY

**Noted for Consideration:
November 18, 2021**

Plaintiff Blair Smith and Defendant United States of America, through counsel, respectfully request the Court stay all pretrial deadlines pending the Court's resolution of the United States' motion for summary judgment (Dkt. 7). Good cause exists for staying discovery and all current pretrial deadlines because the parties do not wish to undergo the expense of discovery until the Court has determined whether Plaintiff may proceed with this action.

The United States removed this case from Thurston County Superior Court on October 8, 2021, Dkt. 1, and filed a Motion for Summary Judgment on October 12, 2021, Dkt. 7. That motion is now fully briefed and noted for consideration. Discovery has not yet begun, though the Court has set initial deadlines for the parties to hold an FRCP 26(f) conference, exchange initial disclosures, and file a Joint Status Report and Discovery Plan. Dkt. 9. Because the pending motion for summary judgment could result in dismissal of the case entirely, the parties respectfully request

1 the Court stay discovery and the remaining pretrial deadlines pending until the Court has ruled on
2 the motion. Such a stay will allow the parties to avoid the unnecessary expense of conducting
3 discovery in the event the case is dismissed. If the Court finds that Plaintiff's action can proceed,
4 then the parties are prepared to begin discovery. The parties though their counsel further agree that
5 neither party will be prejudiced by this stay.

6 **SO STIPULATED.**

7 Dated November 18, 2021.

8 s/
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13 Attorney for Plaintiff

14 **SO STIPULATED.**

15 Dated November 18, 2021.

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17 NICHOLAS W. BROWN
18 United States Attorney

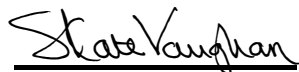
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24 Attorney for Defendant

ORDER

IT IS SO ORDERED.

DATED this 18th day of November, 2021.

A handwritten signature in black ink, reading "S. Kate Vaughan". The signature is written in a cursive style with a horizontal line underneath.

S. KATE VAUGHAN
United States Magistrate Judge